



2FW 1616  
AP #

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Fischetti, et al.

Serial No. 10/067,979

Group: 1616

Filed: 02/08/2002

Examiner: Francisco Chandler Prats

For: THERAPEUTIC TREATMENT OF UPPER RESPIRATORY TREATMENTS

The Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

**AMENDMENT & RESPONSE**

Sir:

First, please note that all correspondence should go to the address of the undersigned attorney, said address being:

2107 Hounds Run Place  
Silver Spring, Maryland 20906

Applicants are filing this amendment and response, along with a Terminal Disclaimer and appropriate fees

**IN THE SPECIFICATION**

Please amend the first paragraph after the title (page 1, starting at line 5), as shown in the amendment.

**IN THE CLAIMS**

Please see attached.

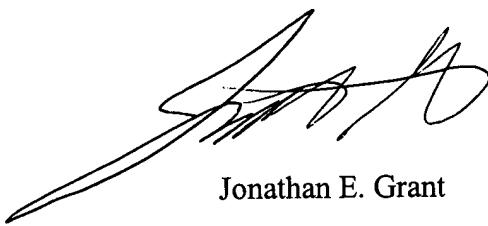
**RESPONSE**

In response to the 35 U.S.C. 112 first paragraph rejection, applicants have amended the first claim. Applicants do note, however, that C1 bacteriophage can and do code for a lytic enzyme having the ability to lyse for Strep. Groups A, C, and E, and thus inclusion of these groups in a claim would be allowed under inherency.

Applicants are filing, along with this response the terminal disclaimer for the patents and patent applications.

The application is now in condition for allowance. Please call the undersigned at (301) 603-9071 if you have any questions or comments. Thank you.

Very truly yours,



Jonathan E. Grant

Reg. No. 34,830

2107 Hounds Run Place  
Silver Spring, Maryland 20906  
(301) 603-9071